

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Esterlina Lopez,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 0:15-cv-1161-PJG
)	
Carolyn W. Colvin, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Upon consideration of Defendant's Motion for Entry of Judgment with Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g), with consent of the parties and good cause appearing therefore, the Court hereby REVERSES the Commissioner's decision in this matter under sentence four of 42 U.S.C. § 405(g),¹ and REMANDS the cause to the Commissioner for further administrative proceedings.

Upon remand, the agency's Appeals Council will remand the case to an Administrative Law Judge ("ALJ"). The Appeals Council will instruct the ALJ to further evaluate Plaintiff's 100% Veteran's Administration disability rating pursuant to Bird v. Comm'r of Soc. Sec., 699 F.3d 337 (4th Cir. 2012). Plaintiff's 100% Veteran's Administration disability rating, previously submitted to the Appeals Council with Plaintiff's attorney's brief (Tr. 372-74, Supplemental Tr. 1376-1384), should be included

¹ The Clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.

in the administrative record on remand. The administrative law judge will also give Plaintiff another opportunity for a hearing, take any steps necessary to complete the administrative record, and issue a new decision.

IT IS SO ORDERED.



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

November 6, 2015
Columbia, South Carolina